IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 24TH JANUARY 2007 / 4TH MAGHA 1928

**WP(C).No. 1488 of 2007(B)**

PETITIONER:
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ANILKUMAR,
MANIYOORKELOH HOUSE,
CHORODU VILLAGE,
CHORODU P.O., VATAKARA.

BY ADV. SRI.PULIKKOOL ABUBACKER
SRI.ZUBAIR PULIKKOOL

RESPONDENTS:
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1. DISTRICT COLLECTOR, KOZHIKODE.

2. LAND ACQUISITION OFFICER (SPECIAL TAHASILDAR), QUILANDY.

GOVERNMENT PLEADER SRI.L.G.SURESH BABU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**K.T. SANKARAN, J.**

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**W.P.(C).NO. 1488 OF 2007 B**

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**Dated this the 24th day of January,2007**

**JUDGMENT**

An extent of 0.250 hectares of land belonging to the petitioner was acquired and an award was passed on 11.12.1998. The petitioner did not file any application for reference under Section 18 of the Land Acquisition Act. The owner of the adjacent property, whose land was also acquired under the same notification, filed application for reference. The Reference Court disposed of L.A.R.No.116 of 2000 and 119 of 2000 and enhanced the compensation by Ext.P1 judgment dated 7.11.2002. On the basis of Ext.P1 judgment, the petitioner submitted Ext.P2 application dated 6.1.2003, under Section 28A of the Land Acquisition Act. Certified copy of the judgment in L.A.R.No.119 of 2000 was also produced along with that application. The petitioner also submitted Ext.P3 representation when Ext.P2 application was not disposed of by the second respondent.

2. In spite of granting sufficient opportunity, the respondents have not furnished instructions to the learned Government Pleader. In the facts and circumstances of the case, there will be a direction to the second respondent to dispose of Ext.P2 application submitted by the petitioner under Section 28A of the Land Acquisition Act within a period of three months.

The Writ Petition is allowed as above.

**(K.T.SANKARAN)**
**Judge**

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